

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

HERITAGE IP LLC,

Plaintiff,

NINTENDO OF AMERICA INC.,

Defendant.

CASE NO. C21-1333 RSM-TLF

ORDER

The Court, having reviewed the Report and Recommendation of Judge Theresa L. Fricke, United States Magistrate Judge, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) the Court adopts the Report and Recommendation (Dkt. #29);
- (2) Defendant's motion to dismiss (Dkt. #23) is DENIED without prejudice.

DATED this 14th day of March, 2022.

Ricardo S. Martinez
RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE